



Docket No.: C038435/0196793

**REPLY UNDER
37 CFR § 1.116**

EXPEDITED PROCEDURE

TECHNOLOGY CENTER 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Daniel RAEDERSTORFF *et al.*)
Application No.: 10/573,222) Examiner: C.R. Tate
Filed: March 23, 2006) Art Unit: 1655
For: **COMPOSITIONS FOR THE TREATMENT
AND PREVENTION OF DIABETES MELLITUS**)

New York, NY
November 12, 2008

**RESPONSE TO FINAL ACTION INCLUDING AMENDMENT AND
PETITION FOR EXTENSION OF TIME**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed May 15, 2008, which set a three-month shortened statutory period for response. A three-month extension of time to respond to the Office Action is hereby requested. Accordingly, this response is filed timely upon mailing, with an executed certificate of mailing, on or before November 17, 2008 because November 15, 2008 falls on a Saturday. 37 CFR §§ 1.7, 1.8, and 1.136.

11/17/2008 EFLORES 00000009 10573222

02 FC:1253

1110.00 OP

Application No.: 10/573,222
Response Dated: November 12, 2008
Reply to Office Action Dated: May 15, 2008

Enclosed is a check in the amount of \$1,110.00 to cover the fee for the extension of time. 37 CFR § 1.17.

Please charge our Deposit Account No. 02-4467 for any fees owing for new claims.

Because the Office Action made the rejection of the pending claims final, consideration of this response pursuant to the expedited procedure for response after final rejection set forth in MPEP § 714.13 (8th Ed., Rev. 6, Sept. 2007, pp. 700-263 to 700-264) respectfully is solicited.

A Notice of Appeal is enclosed. A check in the amount of \$540.00 to cover the fee for the Notice of Appeal is also enclosed. 37 CFR § 41.20(b)(1).

Please charge any deficiency in fees or required fees not otherwise paid to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

Application No.: 10/573,222

Response Dated: November 12, 2008

Reply to Office Action Dated: May 15, 2008

Enclosed is a check in the amount of \$1,110.00 to cover the fee for the extension of time. 37 CFR § 1.17.

Please charge our Deposit Account No. 02-4467 for any fees owing for new claims.

Because the Office Action made the rejection of the pending claims final, consideration of this response pursuant to the expedited procedure for response after final rejection set forth in MPEP § 714.13 (8th Ed., Rev. 6, Sept. 2007, pp. 700-263 to 700-264) respectfully is solicited.

A Notice of Appeal is enclosed. A check in the amount of \$540.00 to cover the fee for the Notice of Appeal is also enclosed. 37 CFR § 41.20(b)(1).

Please charge any deficiency in fees or required fees not otherwise paid to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

Application No.: 10/573,222

Response Dated: November 12, 2008

Reply to Office Action Dated: May 15, 2008

Please amend the application as follows:

AMENDMENTS TO THE CLAIMS: begin on page 4 of this paper.

REMARKS: begin on page 9 of this paper.